

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC., a Delaware corporation,
Plaintiff,

v.

JOSHUA FISHER, JACOB W. MAHURON
A/K/A "PRAGMATIC TAX," MATTHEW
ABBOTT A/K/A "NOVA," JOSE
DEJESUS AKA "DAVID HASTINGS"
A/K/A "J3STER," TRAVERS RUTTEN
A/K/A "TRAVERS7134," JESSE
WATSON A/K/A "JESSEWATSON3944,"
JOHN DOE NO. 1 A/K/A "CALC",
ANDREW THORPE A/K/A "CYPHER,"
RYAN POWER AKA "KHALEESI," JOHN
DOE NO. 4 A/K/A "GOD," JOHN DOE
NO. 5 A/K/A "C52YOU," JOHN DOE NO.
6 A/K/A "LELABOWERS74," JOHN DOE
NO. 7 A/K/A "FRAMEWORK," KICHING
KANG A/K/A "SEQUEL," JOHN DOE
NO. 9 A/K/A "1NVITUS," DAVID
BRINLEE A/K/A "SINISTER," JOHN DOE
NO. 11 A/K/A "THEGUY," JOHN DOE
NO. 12 A/K/A "BEATRED," JOHN DOE
NO. 13 A/K/A "COMMUNITYMODS,"
JOHN DOE NO. 14 A/K/A "PALACE,"
JOHN DOE NO. 15 A/K/A
"VINCENTPRICE," JOHN DOE NO. 16
A/K/A "ESSWAN," JOHN DOE NO.
17 A/K/A "ADMIRAL," JOHN DOE NO. 18
A/K/A "TOMDICKHARRY," JOHN DOE
NO. 19 A/K/A "ROB," JOHN DOE NO. 20
A/K/A "STAYLOCKED," JOHN DOE NO.

Case No. 2:23-cv-01143-MLP

MOTION FOR ENTRY OF DEFAULT
AGAINST DEFENDANT JOHN DOE
NO. 25 A/K/A NATHAN BERNARD A/K/A
"DOVE"

NOTE ON MOTION CALENDAR:
March 26, 2025

21 A/K/A “FIVE-STAR,” JOHN DOE NO.
 22 A/K/A “HORROR,” JOHN DOE NO. 23
 A/K/A ELITECHEATZ.CO, JOHN DOE
 NO. 24 A/K/A MIHAI LUCIAN, JOHN
 DOE NO. 25 A/K/A NATHAN BERNARD,
 A/K/A “DOVE,” JOHN DOE NO. 26
 A/K/A “BLACKMAMBA,” JOHN DOE
 NO. 27 A/K/A “BILLNYE,” JOHN DOE
 NO. 28 A/K/A “BANEK192,” JOHN DOE
 NO. 29 A/K/A SHOPPY ECOMMERCE
 LTD, JOHN DOE NO. 30 A/K/A/ FINN
 GRIMPE A/K/A “FINNDEV,” AND JOHN
 DOES NO. 31-50,
 Defendants.

Pursuant to FED. R. CIV. P. 55(a) and Local Civil Rule 55(a), Plaintiff Bungie, Inc. hereby moves the Clerk to enter default against Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a “Dove” (“Bernard”) based on the following facts:

1. The Amended Complaint in this action – the currently operative complaint in this action – was filed on June 17, 2024. *See* Dkt. 54.

2. Bungie sent a request for waiver of formal service of the Summons and Amended Complaint to Bernard pursuant to FED. R. CIV. P. 4(d) dated November 13, 2024. Bernard signed the waiver of service on January 9, 2025. *See* Dkt. 99.

3. Bernard’s signed waiver of service was filed on January 14, 2025. *Id.*

4. Based on that waiver service, Bernard’s response to the Amended Complaint was due within 60 days from November 13, 2024, the date the request for waiver was sent, specifically, January 13, 2025 (the 60th day falling on a Sunday).

5. On January 17, 2025, Bernard emailed counsel for Bungie apparently requesting, in relevant part, an extension of the time to respond to Bungie’s Amended Complaint.

Declaration of Dylan Schmeier ¶ 4. On January 30, 2025, Bungie agreed to a 21-day extension following the date of counsel’s email for Bernard to respond to Bungie’s Amended Complaint, making Bernard’s new response deadline February 21, 2025. Schmeier Decl. ¶ 5.

6. However, as of the filing of this Motion, Bernard has not filed an answer or other

response to the Amended Complaint and has not appeared in this action. Nor has Bernard contacted counsel for Bungie requesting any further extension in this action. Schmeier Decl. ¶ 6.

Based on these facts, pursuant to FED. R. CIV. P. 55(a) and Local Civil Rule 55(a), because it has been shown that Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a “Dove” has failed to timely plead or otherwise defend in this action, default should be entered against that Defendant. Bungie therefore respectfully requests that the Clerk enter the default of Defendant John Doe No. 25 a/k/a Nathan Bernard a/k/a “Dove”.

Dated this 26th day of March, 2025.

Respectfully submitted,

KAMERMAN, UNCYK, SONIKER &
KLEIN, P.C.

FOCAL PLLC

By: s/ Dylan Schmeier

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Attorneys for Plaintiff Bungie, Inc.

WORD LIMIT CERTIFICATION

I certify that this memorandum contains 343 words, in compliance with the Local Civil Rules.

By: s/ Stacia N. Lay

Stacia N. Lay, WSBA #30594